expansive implications of that premise for the extraterritorial application of U.S. patent law in general.

Respondents take one other swipe at distinguishing software from typical design information. Because software can be separated ("uninstalled") from the computer's hardware while a tire's tread design cannot be separated from the tire, Respondents claim, software is not really design information comparable to a tire tread design. *Id.* at 9. This ignores the patent law significance of uninstalling software from a computer: uninstalling computer software is, as a matter of patent law, making a different computer. That follows from the fact that software installed on a computer is patentable because it makes the computer a "special purpose computer." *In re Alappat*, 33 F.3d at 1545. The "uninstallation" of software is, therefore, the "unmaking" of a special purpose computer. As a matter of patent law, one can no more separate the software from the special purpose computer that allegedly infringes than one can separate the tread from a specially designed tire that allegedly infringes.[5]

CONCLUSION

The petition for writ of certiorari should be granted.

United States, as opposed to copied (and made anew) in the foreign country.

[5] Respondents also baselessly assert that a tire that is made using a specific tread design may not be the subject of a utility patent. Opp. 9-10. While a design patent may also be available to the inventor, utility patents are plainly available for such inventions. *See, e.g.*, U.S. Patent No. 6,484,773 B1 ("Tread Pattern Which Reduces the Running Noise of a Tire"); U.S. Patent No. 6,843,290 B2 ("Surface Profile of the Tread-Pattern Elements of a Tread for a Tire").

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